

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

CUSTOMS AND TAX ADMINISTRATION
OF THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX
REFUND LITIGATION

Case No. 1:18-md-02865 (LAK)

Pertains to case numbers:

18-cv-5053, 18-cv-9797, 18-cv-9836,
18-cv-9837, 18-cv-9838, 18-cv-9839,
18-cv-9840, 18-cv-9841, 18-cv-10100

**NOTICE OF MOTION TO DISMISS
AMENDED THIRD-PARTY COMPLAINTS**

PLEASE TAKE NOTICE that, in accordance with Rules 12(b)(1), 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure, Third-Party Defendant MCML Limited *f/k/a* ED&F Man Capital Markets Limited (“ED&F”) hereby respectfully moves this Court, before the Honorable Lewis A. Kaplan, United States District Judge, Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 21B, New York, New York 10007, for an order dismissing the amended third-party complaints of Acer Investment Group, LLC (ECF No. 1019-1, Case No. 18-md-02865); Elaina M. Crema, as personal representative of the estate of Robert V. Crema (ECF No. 1019-2, Case No. 18-md-02865); and Darren Wittwer (ECF No. 1019-3, Case No. 18-md-02865).

Dated: June 11, 2024
New York, New York

By: /s/ Neil S. Binder
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